

less fortunate, to create jobs, to improve the environment, and to improve education. His professional career included work in State government and as a business executive.

Although he lost his reelection bid in 1994, he was not discouraged and continued to make his voice heard by running for additional races for the House and the U.S. Senate. In fact, he used the same vehicle in all of his campaigns, and its odometer topped 400,000 miles when it finally wore out after 13 years. He was always outspoken and stood up for what he felt was right even if it was in opposition to his own political party's views.

He lived with his wife of 28 years, Shirley Pippin Barlow, in Paducah, Kentucky, where he was a former director of the River City Mission, which helped homeless people get on their feet, and the Lone Oak Kiwanis Club. He was also an active member of the Grace United Methodist Church in La Center, Kentucky.

I ask my colleagues to join me in sending condolences to the Barlow family.

#### REFUGEE BAN

(Ms. ADAMS asked and was given permission to address the House for 1 minute.)

Ms. ADAMS. Mr. Speaker, 2015: "Calls to ban Muslims from entering the U.S. are offensive and unconstitutional."—Governor MIKE PENCE.

2016: "A religious test for entering our country is not reflective of our fundamental values. I reject it."—Speaker PAUL RYAN.

2017: Acceptance from both PENCE and RYAN.

What has changed?

This unconstitutional executive order and its hasty implementation has created chaos and confusion at our Nation's airports. With the stroke of a pen, President Trump negligently and shamefully turned his back on thousands of desperate men, women, and children who were fleeing war zones. Green card holders and visa card holders who have been denied entry and detained for hours have dominated our news.

This is not who we are.

This ban will make America safer. That is an alternative fact. This ban emboldens our enemies, serves as a recruitment tool for terrorists, and puts our servicemembers in the Middle East in greater danger. That is fact.

I urge my Republican colleagues to speak out just like they did in 2015 and 2016. We can't afford your silence.

#### RECOGNIZING NATIONAL CATHOLIC SCHOOLS WEEK

(Mr. LAHOOD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAHOOD. Mr. Speaker, I rise to commemorate National Catholic Schools Week.

America's Catholic schools educate over 2 million students from diverse backgrounds each year, effectively preparing them for a brighter future and instilling in them faith-filled values. Data show that Catholic schools are often the highest-performing educational institutions in our communities. In fact, 99 percent of students from Catholic schools graduate from high school.

This week, I applaud Catholic schools for making a difference with students throughout our country; I applaud the educators who invest in their students' academic and spiritual formation; and I applaud the 28 Catholic grade schools and high schools that faithfully work in the 18th Congressional District of Illinois.

Today I am a cosponsor of a resolution that expresses congressional support of Catholic schools for their invaluable contributions to students and families across America. It is with deep gratitude that I recognize those Catholic educators who are shaping the next generation.

□ 1215

PROVIDING FOR CONSIDERATION OF H.J. RES. 36, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A FINAL RULE OF THE BUREAU OF LAND MANAGEMENT, AND PROVIDING FOR CONSIDERATION OF H.J. RES. 37, DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF DEFENSE, THE GENERAL SERVICES ADMINISTRATION, AND THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 74 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 74

*Resolved*, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 36) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Bureau of Land Management relating to "Waste Prevention, Production Subject to Royalties, and Resource Conservation". All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources; and (2) one motion to recommit.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 37) disapproving the rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation. All points of order against

consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform; and (2) one motion to recommit.

The SPEAKER pro tempore (Mr. GRAVES of Louisiana). The gentleman from Oklahoma is recognized for 1 hour.

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COLE. Mr. Speaker, on Tuesday, the Rules Committee met and reported a rule for consideration of two important measures, which would overturn two significant onerous regulations finalized in the waning days of the Obama administration.

First, the resolution provides for the consideration of H.J. Res. 36, providing for congressional disapproval of the so-called BLM methane rule. The rule provides for 1 hour of debate, equally divided and controlled by the chair and the ranking member of the Natural Resources Committee and provides for a motion to recommit.

In addition, the resolution provides for consideration of H.J. Res. 37, providing for congressional disapproval of the so-called blacklisting rule. The rule provides 1 hour of debate, equally divided and controlled by the chair and ranking member of the Oversight and Government Reform Committee and provides for a motion to recommit.

Mr. Speaker, burdensome regulations are crippling our businesses. The Obama administration finalized 38 major rules between election day and inauguration day. It is estimated those rules will cost our economy \$41.2 billion. Sadly, this was just par for the course with the previous administration. In 2016, the Obama administration finalized over 400 regulations at a cost of over \$160 billion to the economy. Over the entire Obama Presidency, over 3,000 regulations, at a cost of \$873.6 billion, were finalized.

I am heartened by President Trump's regulatory freeze, which has been estimated to save over \$180 billion in regulatory costs, followed by his executive order which aims to revoke two regulations for every new regulation put forward.

Specifically, H.J. Res. 36 overturns the BLM methane rule. The rule is a significant regulatory overreach by the Bureau of Land Management. Under the Clean Air Act, the Environmental Protection Agency has the authority to regulate methane emissions, which it currently does. Instead, the BLM has decided to also assert authority over methane in a way that is both duplicative and unnecessary, yet has significant negative impact on jobs, energy production, and Federal, State, and local revenues.

Mr. Speaker, this is a regulation in search of a problem. According to a 2015 EPA study, methane emissions from both natural gas systems and crude oil production have fallen by significant margin, even while oil and natural gas production have exploded. The BLM flaring rule is both costly and unnecessary.

The second rule considered by this resolution is similarly a solution in search of a problem. For decades, the Federal Government has had a suspension and debarment process in place to deny Federal contracts to bad actors who violate basic worker protections. However, President Obama signed an executive order directing various agencies to add another layer of bureaucracy onto the Federal procurement system. Prior to awarding a contract, each agency's contracting officer and a newly created labor compliance adviser will be required to review both violations and alleged violations to determine whether an employer should be awarded a Federal contract. Even the courts have agreed this is overreach. In October of 2016, a Federal district judge blocked enforcement of these rules, citing concerns with the violation of due process rights and executive overreach.

For these reasons, Mr. Speaker, it is critical that we prevent implementation of these rules which are unnecessary and add even more regulatory burdens to our struggling businesses and anemic economy.

Mr. Speaker, I urge support for the rule and the underlying legislation.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

I rise today in opposition to this rule and the underlying resolutions.

The resolutions that this rule provides consideration for threaten our air and don't protect the American people. My colleagues on the other side of the aisle claim that somehow repealing these rules will create jobs. It will actually destroy jobs, jobs that are associated with recapturing methane.

This is what a methane flare looks like. I drive by them in Colorado, and the potential for capturing, rather than flaring that methane, is important for the quality of our air and to reduce our emissions.

The House majority has made it their priority to instill fear and uncertainty in hardworking American families. People, who come here legally on visas who have lived here for many years,

even small businesses, rather than focusing on jobs or having constructive conversations about immigration, are worried about their employees and, in some cases, even their owners being deported or not allowed back after conducting business overseas.

Republicans apparently would rather help shield large corporations from transparency, eliminate regulations that protect families from water and air pollution, and require companies to follow wage rules.

To add to this uncertainty and fear, President Trump has signed an executive order already that bans refugees and citizens from predominantly Muslim countries. Well, America is a nation of immigrants—those who fled political and religious persecution, violence in their home countries, and those seeking to build a family in a country that values freedom and upholds civil rights.

Our new President has decided that the best use of taxpayer money is to build a wall on our southern border. Our President has used his first 2 weeks in office to generate fear and uncertainty among vulnerable households who may lose their health insurance rather than create jobs and improve our economy. The new President has even limited the ability of the Environmental Protection Agency to communicate with the public about things like methane flaring.

The two Congressional Review Act resolutions we are discussing today—like the previous ones that, I should point out, do not follow regular order—they didn't receive any hearings in this Congress. They were a closed rule with no amendments allowed. I offered two amendments to the methane rule amendment. Neither were allowed to even be debated on this floor of this House, no less adopted.

I would like to quote from Speaker RYAN when he took the gavel in October of 2015. He said: "We need to let every member contribute—not once they have earned their stripes, but right now." In a further quote, Speaker RYAN said: "The committees should retake the lead in drafting all major legislation. If you know the issue, you should write the bill. Open up the process."

"In other words, we need to return to regular order."

Yet, here we are again with two CRAs that did not come through regular order, did not have a hearing with no opportunity for Members on either side of the aisle, Democrats or Republicans, with good ideas to make these pieces of legislation any better. Apparently, Speaker RYAN's commitment doesn't apply to CRAs or issues that keep our air and water clean or protect workers.

I would like to ask that Speaker RYAN explain to his colleagues how he is sticking to his commitment of regular order and to clarify what that means.

Not one amendment was allowed to be heard on the floor on either of these

bills. This is a closed rule, including two of mine.

First, let's talk about the methane waste rule. It is very important to my constituents where fracking has worsened the quality of the air and upset neighborhoods across my district in Colorado.

□ 1230

The first amendment offered in the Rules Committee was to the methane waste rule, and it would have added Bureau of Land Management scientific findings. It would offer transparency and truth to this Congressional Review Act, providing facts about methane, methane waste, and why it is necessary for this rule to be moved forward. Without this rule, we would be seeing a lot more of this in areas like my district and my State.

In the last few weeks, a war on science has been begun by this administration. If we support facts, then we should let facts speak for themselves and be as objective as possible. We should have allowed that amendment which would have listed the scientific truths around methane and this rule.

Scientific facts are clear. The current rule would supply energy for up to 740,000 more households per year. Rather than burn that methane into the atmosphere, we can actually provide energy for 740,000 more households; and that methane is 25 times more dangerous and potent as carbon dioxide for worsening the impact of global warming.

Even if you want to ignore the energy impact of helping more Americans have power or the climate impacts of increasing climate change, if we look at this rule from a jobs perspective, this CRA would destroy American jobs.

I would like to explain how this methane waste CRA rule will affect the jobs of thousands of employees of the more than 70 companies headquartered in the U.S. that provide services and equipment to identify and capture natural gas and methane leaking from pipelines, processing equipment, and wells, including many in my home State of Colorado. This rule directly threatens the livelihood of many businesses and employees in my home State.

If, for some strange reason, the job creation argument isn't enough for you, how about the hundreds of millions of dollars American taxpayers would collect over the next decade from additional royalties?

Oil and gas companies are required to pay for the methane they collect and sell from public lands, and the more that is captured rather than burned off, the better not only for the companies and the employees, but also for taxpayers as we try to reduce our budget deficit.

An estimated \$140 million in royalties over the next decade would be lost if this CRA moves forward. That is \$140 million more in deficit spending that this rule signifies if it were to pass, and

that is why it is opposed by Taxpayers for Common Sense and most other fiscally conservative groups.

Again, if job creation, science, and taxpayer savings aren't enough, how about the cancer-causing impacts, carcinogenic effects, of oil and gas drilling?

Stacy Lambright lives in Thornton, Colorado, near my district with her husband, Eric, and her two kids, Jack and Molly. Stacy became a community activist and a member of Moms Clean Air Force after she found out her neighborhood park frequented by children and families was directly next to a leaking oil and gas fracking well.

Stacy and her family have been living in the neighborhood for over 14 years, and they have started to experience health concerns after oil and gas drillers moved in. Since 2015, Stacy's been documenting an unusual amount of nosebleeds in her family. Just as recently as Monday, her daughter had a nosebleed, while her son had six nosebleeds last month, something they never had before. And Stacy's husband's asthma has significantly increased.

They have lived in the neighborhood for 14 years and only recently, since the drilling occurred, have they had these health impacts. There have been no changes in their home or surrounding neighborhood other than the increased amount of fracking and oil and gas wells and leaks, documented leaks, to existing wells.

This methane rule further threatens the health of constituents as we gather additional data, and that is why Stacy is advocating for stronger legislation and better management practices, not worse management practices, with regard to existing oil and gas wells.

The safety and health of Stacy's family should be a top priority for Congress, but it appears, instead, the Republicans' top priority in this resolution is bringing us back to a time when our water is polluted, our skies are smoggy, and health issues from dirty air are a burden for families.

I know it has been argued—we probably will again—that oil and gas companies are fixing and capping leaks on their own, but that is false. There is a massive amount of gas leaked every day, and these companies have not reduced methane emissions from the field one bit. Again, absent this rule, we will see more of this kind of activity, not less.

Another argument is that infrastructure, like pipelines, is important to prevent methane flaring. And of course that is true, but a GAO report says that only 9 percent of venting and flaring is due to the lack of infrastructure, so it is only a small part of the overall issue.

And, by the way, this rule doesn't block or in any way impede any new infrastructure projects, and more infrastructure alone clearly won't solve the problem of leaking wells and flaring methane.

The issue of leaking methane, in particular, is partially addressed by this rule, which, by the way, doesn't go far enough. However, what they wrote has been proven to work in creating jobs and cleaning up our air.

In Colorado, we have a methane rule that, frankly, this rule is largely based on, and I know it has worked in Colorado. And while we need to do a lot better in my home State, at least some level of baseline can work for the whole country.

Oil production on Federal lands went up 28 percent between 2010 and 2015 under the Obama administration. There is no question that BLM has and still has authority to regulate methane. It is a waste of taxpayer money, a misuse of our public lands to do anything other than to reduce our methane emissions.

Just as an aside, the benefits of this rule include increased job creation, cleaner air, healthier families, and the climate.

BLM was extraordinarily conscientious when drafting this rule. They held eight public forums. They extended the comment period for 75 days. Over 300,000 public comments were collected and addressed. The BLM's methane rule was done out in the open with public input as opposed to, by the way, this process, which was done behind closed doors, without a public hearing, and didn't even have a committee hearing.

It doesn't make sense to use the CRA to repeal this BLM methane rule. This BLM methane rule creates jobs, protects our families, saves taxpayer money, and reduces our budget deficit.

The second amendment I offered got to the heart of the problem with CRAs in general. Regardless of the rules that they are impacting, they are a reckless, blunt tool, and they are not the right instrument for honest, thoughtful legislating.

If Congress has a problem with the authority under which the methane rule was issued, we should amend the statutory authority of the agency, not use a congressional resolution of disapproval.

My other amendment simply said that the agency has the right and authority to write a rule impacting this issue which, otherwise, the CRA could effectively prevent; and due to that uncertainty, passing the CRA creates even more uncertainty for the industry.

As the Denver Post, a newspaper that has endorsed dozens of Republicans over the last few years, said in regards to this methane waste rule: "Congress is getting ready to use an ax where it needs a scalpel."

The Congressional Review Act is one of the most ridiculous tools to be used by Congress, and, regardless of whether you disagree or agree with the policy, the better way to approach it would be to amend the statutory authority of the agency to make it clear whether they have the authority to issue this kind of rule and under what conditions.

While we may disagree on that, and we may be able to offer and bring to the floor amendments regarding agency authority, that is the appropriate venue for this discussion.

Let's move on to the other bill under this rule, the Fair Pay and Safe Workplaces bill. My Republican colleagues continue to refer to this order as a problematic order. Unfortunately, it is another attempt to mislead the American people. This is a tactic the Republican elite have called "providing alternative facts."

The rule under CRA today comes from the Fair Pay and Safe Workplaces executive order, and it is sorely needed legislation. What this rule says is, if you are a company that consistently breaks the law, without regard for your workplace, workers, taxpayers, or the community, you should not receive millions of dollars in taxpayer contracts.

It makes common sense to me. If you are abusing workers, have engaged in tax fraud, why would we want to contract with you with our taxpayer dollars?

Companies that cut corners in safety or fair pay, dozens of other areas, shouldn't get to compete for our taxpayer money against good actors and companies that play by the rules. Everybody needs to start from a level playing field.

Now, to be clear, there are only a few bad actors. The vast majority of companies have no issue at all with this rule. But unscrupulous actors who have ignored the law, violated the law, cut corners, should not be rewarded; and, to this day, there are a few bad actors that continue to receive billions of dollars of your taxpayer money in Federal contracts.

In 2010, a GAO report proved that there was a problem. GAO investigated 15 Federal contractors cited for violating hundreds of Federal labor laws enforced by the Department of Labor, OSHA, and the National Labor Relations Board. The Federal Government awarded these 15 Federal contractors over \$6 billion in government contract obligations, your money going to known violators in 2009 alone.

How about that for waste, fraud, and abuse?

Now, look, I don't know about my colleagues on the other side of the aisle, but fiscal responsibility is core to my beliefs as a Member of Congress. That is why I am a proud cosponsor of an amendment to require a balanced budget.

I believe in the value of hard work and personal responsibility. If we know a company is cutting corners, taking the easy way out, and avoiding the responsibility of the law, why would we reward them with your money?

Organizations throughout the country, representing a diverse group of stakeholders, agree. The Leadership Conference on Civil and Human Rights, the Paralyzed Veterans of America, the Service Employees International Union

all join me in opposition to this Congressional Review Act. They recognize the value of hard work. They don't support companies who cheat. I don't know why my Republican colleagues do.

This rule modernizes an antiquated system. Right now it is virtually impossible for procurement officials to know if company A has had any violations when they are up against company B for a contract. If company A has been cheating workers out of overtime and that allows them to underbid Company B, they shouldn't get the contract and be rewarded for violating the law.

This executive order will increase coordination, simplification, access to information, and streamline the system.

This executive order does not set up any way for companies to be banned or disbarred. That process has always existed and will still exist alongside this as a separate, independent process. In fact, what this process does is it provides a remedial path for companies to right the ship, to get right with the law, to be eligible, once again, for Federal contracts.

A simple or rare mistake should, of course, not bar a company from participating in the Federal recruitment process. Instead, companies with repeated and excessive transgressions should be helped to follow the law and create a better workplace and be rewarded to be better stewards of taxpayers dollars.

Mr. Speaker, I reserve the balance of my time.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

Not surprisingly, my friend and I have a number of disagreements on the wisdom of getting rid of these particular regulations. We do agree on the importance of actually capturing methane gases. Frankly, my friend is right. That is a profitable thing, and most companies try to do it on their own.

We do, frankly, need more infrastructure in this area, no question about that. The BLM has been less than cooperative in allowing that infrastructure to be built on Federal land, and that has made this problem more difficult than it needs to be.

But it is important to recognize, overall, the amount of methane gas that actually escapes has gone down steadily and, frankly, dramatically, even as production has moved up. So additional regulation is unlikely to change that process. It may actually complicate it.

In terms of where the appropriate authority lies, again, I would just remind my friend, as he knows, the Environmental Protection Agency has the authority to do this. So if it felt like it needed it, it could.

The BLM has actually moved into a new area beyond its traditional jurisdiction because it does not have authority, under the Clean Air Act, to draft these kind of rules and regula-

tions. The Clean Air Act, again, is already in place. The EPA has the authority. If we need to do something, let's do it.

In terms of the disbarment procedure for contractors, what we have is already awfully robust. Almost 2,000 firms, or on 2,000 occasions, companies were disbarred in 2015 from Federal contracting work. It was the same in 2014. So there is something in place. We don't need additional regulatory expense, additional people working for the government. We can rely on the procedures we already have.

My friend is concerned about the lack of hearings. I would remind him, while we haven't had hearings on these items in this Congress, we certainly did on both of them in the last Congress, in some cases, multiple hearings. There is not any need to rehash and go over the same ground, in my view.

Finally, in terms of just the process itself, the Congressional Review Act actually limits the form in which these sorts of things can be brought forward. If amendments are made in order, frankly, the item loses its privilege in the United States Senate, which, obviously, changes the speed at which you can move and perhaps even the number of votes that are required to actually move forward.

So we think, again, these are items that have been explored, looked at, debated. The evidence is pretty clear. We think it is important to move quickly in these areas, and I would urge the body to do so. Adopt the rule. Support the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in opposition to this rule.

What does this rule do? It enables the repeal of protections for American workers. These are regulations that ensure that Federal contractors must disclose labor violations across 14 basic labor laws.

□ 1245

Our Federal contractors employ approximately 28 million workers, and while the vast majority of contractors are in compliance, unfortunately, every year American workers are denied their overtime wages, they are discriminated against for their gender, or their age, or had their health and their safety put at risk.

Why is this Republican majority working so hard to ensure that billions of taxpayer dollars continue to go to contractors that cheat their workers? This executive order targets those bad actors and the most egregious cases.

The intention of the executive order was to encourage compliance with the law and level the playing field for contractors who are playing by the rules. If there are no violations, bidders simply check a box.

What should we be doing here in this body? We should be increasing worker

protections, not demeaning them or decreasing them. The more than one in five Americans who would be affected should be protected by our labor laws.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

I just want to make a couple of good points. Remember, my friends, disbarment is already a very common procedure. It was invoked over 2,000 times. So having another regulatory hurdle and hoop to jump through, just simply isn't necessary.

Again, these regulations were, frankly, generated in the final waning months of the Obama administration. They haven't been in action, and there is sort of a regulatory fit. It is not, by the way, unusual for just the last administration. All administrations have this tendency near the end, and that is one of the reasons why we have the Congressional Review Act in the first place, so that when administrations, in their waning days, decide they want to leave difficult situations or push through things that they didn't see fit to do over an 8-year period, Congress can expeditiously make sure that those regulations aren't put in place and businesses are forced to begin to comply with them.

As I pointed out in my opening remarks, the regulations released by the last administration—over 3,000 of them in an 8-year period—cost the economy over \$870 billion. The regulations that were issued between election day and Inauguration Day cost the economy over \$40 billion. That is real money. That is real investment that could go elsewhere and could hire people.

So I would think that these, along with the other Congressional Review Act bills that will be coming forward, and have already come forward, will actually give the economy a much-needed shot in the arm, will help stimulate job creation and movement, and we have a timeframe in which we have to operate.

So if we actually followed all of the procedures my friend suggested, many of these regulations, frankly, would never get reviewed before they went on the books.

So it is better to act quickly. I think it is better for American business.

Again, I urge the support of the rule and the underlying legislation.

I reserve the balance of my time.

Mr. POLIS. I am prepared to close if the gentleman doesn't have any remaining speakers.

Mr. COLE. I am certainly prepared to close.

Mr. POLIS. Mr. Speaker, I yield myself the balance of my time.

First of all, the gentleman from Oklahoma referenced that these have been the subject of hearings. I would point out that there are over 50 new Members of this body who were not part of the last Congress who have not had a chance to look at it. And there has been time.

They could have had hearings and markups last week or the week before

prior to these bills coming to the floor. I just came from a hearing in one my committees today. So they certainly could have been done consistent with the timeline, had that been the desire.

But, again, the better approach, the correct approach, would be to amend or change the authorities of the authorizing agency for these rules, rather than use the CRA process.

Mr. Speaker, President Trump's immoral and unconstitutional executive order banning Syrian refugees and suspending immigration from many countries is an attack on our core American values as a nation of law and a nation of immigrants.

This callous indifference of human suffering not only has tarnished and hurt our image abroad but harmed our national security by alienating allies and providing terrorist groups with new recruiting tools.

If we defeat the previous question, I will offer an amendment to the rule to bring up Representative LOFGREN's bill to overturn and defund this dangerous executive order.

Let me be perfectly clear for people watching what this vote means. A "no" vote on the previous question gives us the opportunity to overturn this order and bring up Representative LOFGREN's bill. A "yes" vote means the House will continue to do nothing to stop President Trump's executive action and, instead, choose with allowing more methane to be spewed into the atmosphere.

This will be the third such vote the House takes this week, and, so far, every vote cast by a Republican Member in Congress has been in favor of turning a blind eye to President Trump's unconstitutional and dangerous order.

The American people should take notice and insist that their elected Representatives vote "no" and reject this administration's disgraceful policy.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment into the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. The fact that these CRA proposals that we have before us have not gone through any sort of special order, regular order; the fact that CRAs are cumbersome and reckless tools; and the fact that all they do is take away protections from our air and from our workers should make it easy for every Member of this body to join me in voting "no" on this rule and on the underlying bills.

We should be keeping regulations and standards predictable that put Americans at the top of our priority list, not oil and gas companies, and not companies that are bad actors and violate our law by refusing to pay overtime to their workers.

We should value clean air, and we should value companies that play by

the rules. We should value regulations that protect our taxpayer dollars rather than increase our deficit by \$140 million. We can do all of these things by simply defeating this rule and defeating the underlying bills.

I urge my colleagues to vote "no" on the previous question, "no" on the rule, and "no" on the underlying bills.

I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

I want to thank my friend. As always, he is always thoughtful, always a good person to hold a debate and a conversation with.

On this one, we simply disagree. My friend referenced some of the "conservative groups" that are supporting the maintenance of the flaring rule, the BLM.

Just for the record, I want to add some that I am actually more familiar with: the Americans for Tax Reform, Citizens Against Government Waste, Americans for Prosperity, and Taxpayers Protection Alliance. All of those are in favor of the repeal of this regulation, and all of them think it will actually save businesses money and increase activity as opposed to the regulation which we think actually discourages economic activity.

Again, these are regulations—in both cases, they were adopted in the final waning days of the administration. These are things that Congress had serious doubts against, but, obviously, couldn't override an administration when they were in office.

The Congressional Review Act itself is done, so we can do this sort of exercise after an administration leaves, and actually go back and undo some of the damage that I think is routinely done by both parties in their waning days, when they would actually be better off to just simply let the new people get into their jobs and actually go about their business.

We have appropriate regulatory authority in both of these areas. Again, the Environmental Protection Agency has the power under the Clean Air Act to issue whatever regulations it cares to on methane. And here, frankly, we ought to pat business on the back because, as we have increased production of both oil and natural gas, methane has consistently gone down dramatically and steadily over the years.

I suspect that process will continue with or without the regulation of the Federal Government because, quite frankly, it makes good business sense. And, quite frankly, most people in private business want to be good stewards to the environment. They are not out to try and damage our air or our water.

The same thing is true in terms of bad actors—and there certainly are some bad actors—that engage in activities that are inappropriate for Federal contractors who violate the law. That

is why, under current law, almost 2,000 companies were disbarred in 2015; a similar number in 2014.

So, again, what we have in place appears to be working. Why we would create an additional hurdle, hire additional people, and force companies to do additional paperwork is beyond me. I don't think it is the wise thing to do; I don't think it is the necessary thing to do.

Mr. Speaker, in closing, I want to encourage all Members to support the rule.

H.J. Res. 36 and H.J. Res. 37 both undo regulations that should never have been made in the first place. By preventing the implementation of these onerous, duplicative regulations, we will relieve the burdens faced by American small business.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 74 OFFERED BY  
Mr. POLIS

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 724) to provide that the Executive Order entitled "Protecting the Nation from Foreign Terrorist Entry into the United States" (January 27, 2017), shall have no force or effect, to prohibit the use of Federal funds to enforce the Executive Order, and for other purposes. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 724.

THE VOTE ON THE PREVIOUS QUESTION: WHAT  
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's

ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

The Republican majority may say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here’s how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler’s Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority’s agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 12 o’clock and 54 minutes p.m.), the House stood in recess.

□ 1305

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PALAZZO) at 1 o’clock and 5 minutes p.m.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 74; and

Adoption of House Resolution 74, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

## PROVIDING FOR CONSIDERATION OF H.J. RES. 36, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A FINAL RULE OF THE BUREAU OF LAND MANAGEMENT, AND PROVIDING FOR CONSIDERATION OF H.J. RES. 37, DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF DEFENSE, THE GENERAL SERVICES ADMINISTRATION, AND THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 74) providing for consideration of the joint resolution (H.J. Res. 36) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Bureau of Land Management relating to “Waste Prevention, Production Subject to Royalties, and Resource Conservation”, and providing for consideration of the joint resolution (H.J. Res. 37) disapproving the rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 230, nays 188, not voting 14, as follows:

[Roll No. 74]

YEAS—230

Abraham  
Aderholt

Allen  
Amash

Amodei  
Arrington

Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Billirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costello (PA)  
Cramer  
Crawford  
Culberson  
Curbelo (FL)  
Davidson  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Gaetz  
Gallagher  
Garrett  
Gibbs  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger

Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith  
Grothman  
Guthrie  
Harper  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Messer  
Mitchell  
Moonenar  
Mooney (WV)  
Mullin  
Murphy (PA)  
Newhouse  
Noem  
Nunes  
Olson  
Palazzo  
Palmer

Paulsen  
Pearce  
Perry  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas J.  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Rutherford  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trotter  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

## NAYS—188

Adams  
Aguilar  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan F.  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Cummings  
Davis (CA)

Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael F.  
Ellison  
Engel  
Eshoo  
Española  
Esty  
Evans  
Foster  
Frankel (FL)